

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts
Southern District of Texas
FILED

November 06, 2020

David J. Bradley, Clerk of Court

United States of America

v.

Darwin Anelby Rosario

Case No. **4:20mj2215**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 5, 2020 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

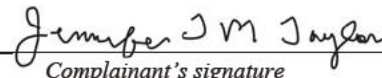
Offense Description

18 USC § 1708

Theft or Receipt of Stolen Mail Matter

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Jennifer T. M. Taylor, Postal Inspector

Printed name and title

Sworn to before me and signed telephonically.

Date: November 06, 2020

Judge's signature

City and state: Houston, Texas

Dena H. Palermo, U.S. Magistrate Judge

Printed name and title

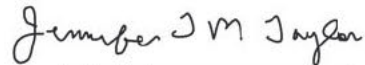
AFFIDAVIT IN SUPPORT OF ARREST WARRANT

1. I, Jennifer T. M. Taylor, being duly sworn, hereby depose and say:
Affiant is Postal Inspector (PI) with U.S Postal Inspection Service (USPIS) and have been so employed since August 2010. Affiant is currently assigned to the USPIS Mail Theft/Mail Fraud Team, which is tasked with the investigation of complex mail theft crimes, including but not limited to, mail theft, credit card fraud, money order fraud and identity theft. Affiant has gained experience in conducting such investigations through on the job training and everyday work related investigations. Affiant has personally participated in investigations involving violations of federal law regarding mail theft and criminal groups that result from such unlawful activity. As Postal Inspector, Affiant is authorized to investigate violations of the United States and to seek forfeiture of property under authority of the United States.
2. The information set forth in this Affidavit is based upon Affiant's personal knowledge and/or information provided to Affiant by other law enforcement officers, fraud investigators, and other individuals the undersigned believes to be reliable and credible.
3. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that **Daruin Anelby Rosario** has committed violations of federal law.
4. Affiant submits this affidavit in support of a Criminal Complaint charging **Daruin Anelby Rosario** with 18 U.S. Code § 1708.
5. On November 5, 2020 at approximately 2352 hours, Officer J. Ingram observed a motor vehicle with an unreadable paper tag traveling on a public roadway. Officer Ingram initiated a traffic stop on the vehicle at the 16500 block of US Hwy 59, Humble, Harris County, TX 77338. The vehicle was later found to have a TX temporary tag 65440N1.

6. Upon activating his emergency lights to initiate the traffic stop, Officer Ingram observed the driver, later identified by name and date of birth as Daruin Rosario, make multiple furtive movements. During his approach to the vehicle, he observed a strong odor of marijuana coming from the passenger area of the vehicle. Officer Ingram detained the driver and conducted a probable cause search of the vehicle due to the odor of marijuana. Rosario also advised that he was nervous because he attempted to hide the marijuana from him.
7. While searching the vehicle, Ingram located a backpack in the front passenger seat floorboard. Inside of the backpack was a large quantity of unrifled mail in names other than Rosario, along with a passport. In the backseat floorboard was a black garbage bag with a large quantity of rifled mail in names other than Rosario. Officer Ingram also located .6oz of marijuana in the center cup holder of the front seat of the vehicle.
8. Rosario was placed in custody for Class C charges and transported to the Humble Police Department without incident. The vehicle was towed by Humble Towing to 7821 Rankin Rd and a hold was placed on the vehicle per his direction. Officer Ingram seized all mail located within the vehicle. Upon return to the Humble Police Department, Officer Ingram contacted United States Postal Inspector Michael Ridley.
9. On November 6, 2020, Inspector Mike Ridley, Officer Josh Ingram and Affiant interviewed incident to a State arrest, mail theft suspect Daruin Anelby Rosario. Inspector Ridley advised Rosario of his Miranda Rights. Rosario agreed to speak with law enforcement officers without a lawyer present. Rosario advised that he did not steal mail but he knows who does. Rosario stated he knew his friend "CJ" made money from stealing mail so he asked him how he could make money. Rosario stated that "CJ" put the bag of mail in Rosario's vehicle and took the cash out of the stolen mail. "CJ" would put money orders and checks to the side when he was going through the bag of mail. "CJ" sells packs or bags of mail for \$800. CJ gave the left over mail in the bag to Rosario free of charge because they are friends. Rosario claimed he didn't know what to do with the checks stolen from the mail.
10. Rosario gave Affiant consent to search his cellular Iphone. Affiant did a cursory

search of the cell phone and identified text messages between the user of the phone and unknown individuals discussing checks belonging to other individuals with pictures of checks attached.

11. On November 6, 2020, Affiant reviewed the stolen mail recovered from Rosario's vehicle. Affiant observed over 100 pieces of mail that were opened and unopened containing letters, checks, an unopened ballot and a passport.
12. Based on the forgoing information, Affiant has reason to believe and does believe that, on or about November 5, 2020, Daruin Anelby Rosario did commit the offense of Theft or Receipt of Stolen Mail, 18 U.S. Code § 1708.



Jennifer T. M. Taylor
U.S. Postal Inspector

Sworn and Subscribed to me telephonically this 6th day of November, 2020 and I find probable cause.



Dena H. Palermo
United States Magistrate Judge
Southern District of Texas